

SEXUAL SOLICITATION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer M. Seelig

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Criminal Code regarding the offense of sexual solicitation.

Highlighted Provisions:

This bill:

► clarifies the acts that constitute sexual solicitation with the intent to engage in prostitution.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-10-1313, as enacted by Laws of Utah 1993, Chapter 179

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-10-1313** is amended to read:

76-10-1313. Sexual solicitation -- Penalty.

(1) A person is guilty of sexual solicitation when the person:

(a) [~~he~~] offers or agrees to commit any sexual activity with another person for a fee;

[~~or~~]



28 (b) ~~he~~ pays or offers or agrees to pay another person to commit any sexual activity for
29 a fee[-];

30 (c) as a manifestation of an intent to engage in prostitution:

31 (i) exposes the person's genitals, the female breast below the top of the areola, the
32 buttocks, the anus, or the pubic area;

33 (ii) masturbates;

34 (iii) touches the person's genitals, the female breast, the buttocks, the anus, or the pubic
35 area; or

36 (iv) performs any other act of lewdness; or

37 (d) as a manifestation of an intent to engage in prostitution, the person directs another
38 person to perform one of the following acts:

39 (i) expose that person's genitals, the female breast below the top of the areola, the
40 buttocks, the anus, or the pubic area;

41 (ii) masturbate;

42 (iii) touch that person's genitals, the female breast, the buttocks, the anus, or the pubic
43 area;

44 (iv) touch the genitals, the female breast, the buttocks, the anus, or the pubic area of the
45 person directing that an act under this Subsection (1)(d) be performed; or

46 (v) perform any other act of lewdness.

47 (2) (a) Sexual solicitation is a class B misdemeanor[. ~~However, any~~], except under
48 Subsection (2)(b).

49 (b) Any person who is convicted a second [time, and on all subsequent convictions,] or
50 subsequent time under this section or under a local ordinance adopted in compliance with
51 Section 76-10-1307, is guilty of a class A misdemeanor, except as provided in Section
52 76-10-1309.

Legislative Review Note
as of 2-4-11 4:06 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 121

SHORT TITLE: **Sexual Solicitation Amendments**

SPONSOR: **Seelig, J.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.